



PATENT  
ATTORNEY DOCKET NO. 10274/008003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Linda C. Burkly  
Serial No.: 09/234,290  
Filed : January 20, 1999  
Title : TREATMENT FOR INSULIN DEPENDENT DIABETES

Art Unit: 1641  
Examiner: #3

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(b) mailed February 9, 1999 (a copy of which is enclosed), Applicant as a large entity submits herewith the following:

Payment of the basic filing fee of \$760.00.

A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63 (executed).

Payment of the surcharge of \$130.00 for late filing of the basic filing fee/declaration.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account No. 06-1050.

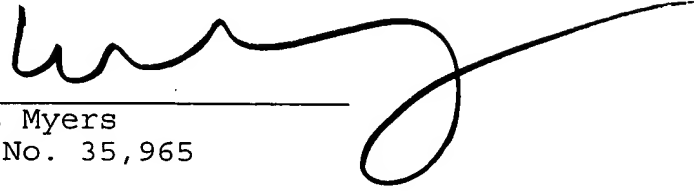
Date of Deposit

3/30/99

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Laura A. Labier  
Laura A. Labier

Respectfully submitted,



Louis Myers  
Reg. No. 35,965

Date:

26 May 99

Fish & Richardson P.C.  
25 Franklin Street  
Boston, MA 02110-2804

Telephone: 617/542-5070  
Facsimile: 617/542-8906  
364197.B11



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Section 1/8

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/234,290 01/20/99 BURKLY

10274/008003

023270209

LOUIS MYERS  
FISH & RICHARDSON  
225 FRANKLIN STREET  
BOSTON MA 02110-2804

NOT ASSIGNED

1641

DATE MAILED:

02/09/99

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 890.00

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required:

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box-Missing Parts."

**A copy of this notice MUST be returned with the reply**

Customer Service Center

Mail Stop 1000, Washington, D.C. 20231

BEST AVAILABLE COPY

99 588816 00000105 09234290 760.00 130.00